Newly submitted Claims 21 and 22 specify the detection device may be a lateral flow device or a flow-through device. Support for lateral flow and flow through devices may be found, for example, in the specification on page 6, lines 18-23.

Newly submitted Claims 23 and 24 specify detection of allergen-specific IgE be accomplished in "about five minutes or less" or "about three minutes or less", respectively. Support for a test that requires "about five minutes or less" or a test that requires "about three minutes or less" to perform can be found, for example, on page 11, lines 21-22. Accordingly, in view of the stated support, Applicants contend no new matter has been entered into the Application.

All of the pending Claims are believed to be in condition for allowance. In the event the Examiner has any questions regarding this Application, the Examiner is invited to contact the undersigned representative at (970) 493-7272.

Respectfully submitted,

Dated: November +, 2002

Richard J. Stern, Ph.D.

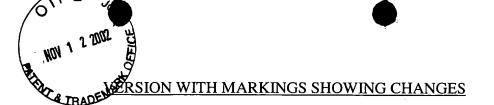
Registration No. 50,668

Heska Corporation

1613 Prospect Parkway

Fort Collins, Colorado 80525 Telephone: (970) 493-7272

Facsimile: (970) 491-9976



- 1. (Once amended) A device for [detecting] the rapid detection of allergen-specific IgE in a sample obtained from an animal, said device comprising:
- (a) a first member comprising a porous member having a sample receiving area, wherein said porous member is spotted with at least one mixture of allergens and a control spot; and
 - (b) a support member that is in direct contact with the first member.
- 2. The device of Claim 1, wherein the mixture of allergens is deposited on one spot of the porous member.
- 3. The device of Claim 1, wherein mixtures of allergens are deposited on multiple spots of the porous member.
- 4. The device of Claim 1, wherein the mixture of allergens is deposited on an area of the porous member separate from the sample receiving area.
 - 5. The device of Claim 1, wherein the animal is a dog, cat, horse or human.
- 6. The device of Claim 1, wherein the sample is a bodily fluid obtained from the animal.
- 7. The device of Claim 6, wherein the bodily fluid is whole blood or a component thereof, urine or a mucosal secretion.
 - 8. The device of Claim 7, wherein the bodily fluid is whole blood, serum or plasma.
- 9. The device of Claim 1, wherein said device further comprises an absorbent member in capillary communication with the porous first member, wherein said absorbent

member is selected to induce flow of liquid through the first member without the use of external means.

- 10. The device of Claim 1, wherein the control spot contains purified IgE.
- 11. The device of Claim 1, wherein said mixture of allergens comprise one or more types of allergens selected from the group consisting of cat allergens, dog allergens, flea saliva proteins, house dust mite allergens, Japanese Cedar pollen, ragweed allergens, ryegrass allergens, meadow fescue, orchard grass, Bermuda grass, sheep sorrel, Kochia, Russian thistle, yellow dock, timothy grass, redtop, birch and blue grass allergens.
- 12. (Once amended) A method for [detecting] the rapid detection of the presence of allergen-specific IgE in a sample, said method comprising the steps of:
- (a) adding the sample to the sample receiving area of the device of Claim 1, whereby at least one allergen in the mixture of allergens spotted on the porous member binds to allergen-specific IgE if present in the sample;
- (b) contacting the mixture of allergens with a reagent that selectively binds to allergen-specific IgE; and
 - (d) detecting bound allergen-specific IgE if present in the sample.
 - 13. The method of claim 12, wherein the reagent is labeled.
- 14. The method of claim 13, wherein the labeled reagent is an anti-IgE antibody or an IgE receptor.
- 15. The method of claim 14, wherein the labeled reagent is an anti-canine IgE, anti-feline IgE, anti-equine IgE or anti-human IgE monoclonal antibody.

- 16. The method of claim 12, wherein the sample is a bodily fluid obtained from an animal.
- 17. The method of claim 16, wherein said bodily fluid is whole blood or a component thereof, urine or a mucosal secretion.
- 18. A method for prescribing immunotherapy treatment of an animal having an allergic disease, said method comprising the steps of:
 - (a) obtaining a sample from the animal;
- (c) analyzing the sample according to the method of Claim 12 to detect the presence of allergen-specific IgE in said sample, wherein the presence of allergen-specific IgE identifies the sample as a positive sample;
- (c) analyzing the positive sample to identify one or more allergens responsible for said allergic disease; and
- (d) selecting an appropriate immunotherapy for said animal to treat the allergic disease.
- 19. The method of Claim 18, wherein an *in vitro* immunoassay or an intradermal test is used to analyze the positive sample.
 - 20. A kit comprising the device of Claim 1 and ancillary reagents.
 - 21. (New) The device of Claim 1, wherein the device is a lateral flow device.
 - 22. (New) The device of Claim 1, wherein the device is a flow-through device.
- 23. (New) The method of Claim 12, wherein said method is accomplished in five minutes or less.
- 24. (New) The method of Claim 12, wherein said method is accomplished in three minutes or less.